

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Walsh Securities, Inc.,

Plaintiff,

v.

Cristo Propety Management, LTD, et al.,

Defendants.

Civil Action No. 97-3496 (DRD)(MAS)

AMENDED SCHEDULING ORDER


THIS MATTER having come before the Court for a telephone status conference on July 11, 2011, and for good cause shown:

IT IS on this 19th day of July, 2011,

ORDERED THAT:

1. Fact discovery shall be completed by **10/10/11**.
2. **Summary Judgment Motions**: Summary Judgment motions shall be filed according to the following briefing schedule:
 - a. Moving papers shall be filed by **11/10/11**;
 - b. Any and all opposition papers shall be filed by **12/9/11**;
 - c. Any and all reply papers shall be filed by **12/30/11**.
3. Within 20 days hereof, Plaintiff's attorney shall advise the attorney for the title insurance defendants in writing if Plaintiff is seeking recovery on all loans (whether or not repurchased by Plaintiff) or is seeking recovery only on the loans that appeared on the list of loans that Plaintiff previously supplied identifying loans repurchased by Plaintiff;
4. Within 30 days hereof, Plaintiff's attorney shall inform Defendants' attorneys whether Plaintiff will have any experts and the subject of the testimony of those experts.
5. Within 30 days hereof, Plaintiff shall notify Defendant Commonwealth wishes to re-depose Commonwealth's 30(b)(6) witness in light of Commonwealth's production of documents after the prior deposition;
6. Additional documents from Defendants Fidelity and Nations are to be produced within 30 days following their deposition;

7. Within 45 days hereof, Plaintiff's attorney shall produce corporate records of Plaintiff identifying who were the shareholders of Plaintiff.
8. **Expert Reports:** Affirmative expert reports are to be filed according to the following schedule:
 - a. Affirmative Expert Reports shall be served by 1/30/12;
 - b. Responsive Expert Reports shall be served by 3/1/12;
 - c. Expert Depositions shall be completed by 4/2/12;
9. Defendants' outstanding discovery request for all writings (including but not limited to any legal bills/expenses), for any legal fees that Plaintiff is seeking in this matter, has not previously been decided by this Court. The 7/22/10 Amended Scheduling Order (Docket Entry Number 403) requires responses to, not production of, outstanding discovery requests. As Plaintiff has now responded and objected to Defendants' request, a decision on the merits is warranted. While Defendants are entitled to the aforementioned documents if found liable, having carefully considered the parties' positions on immediate production, the Court shall not require Plaintiff to produce those documents until such time as Plaintiff may move for an award of attorney's fees and costs or a decision on the merits of the claims at issue has been rendered.
10. **FAILURE TO FOLLOW THIS ORDER MAY RESULT IN SANCTIONS PURSUANT TO Fed. R. Civ. P. 16(f) and 37.**



Honorable Michael A. Shipp
UNITED STATES MAGISTRATE JUDGE